

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

HUDSON SPECIALTY INSURANCE COMPANY

PLAINTIFF

V.

CAUSE NO. 5:17-CV-137-DCB-MTP

TALEX ENTERPRISES, LLC,
JUBILEE PERFORMING ARTS CENTER, INC.,
TERRANCE L. ALEXANDER, and the
BOARD OF MAYOR AND SELECTMEN
OF MCCOMB, MISSISSIPPI, et al.

DEFENDANTS

ORDER

By Order [Doc. 70] dated March 28, 2018, the Court granted Talex Enterprises, LLC, Jubilee Performing Arts Center, Terrance Alexander, and the Board of Mayor and Selectmen of McComb, Mississippi (collectively, "Counter-Plaintiffs") leave to file an amended counterclaim.

In the Order, the Court explained that if Counter-Plaintiffs timely filed an amended counterclaim, the Court would deny as moot Hudson Specialty Insurance Company's Motion to Dismiss [Doc. 44] Counter-Plaintiffs' Original Counterclaim.

Counter-Plaintiffs timely filed an Amended Counterclaim [Doc. 72] on April 10, 2018.

Accordingly,

IT IS ORDERED that Hudson Specialty Insurance Company's Motion to Dismiss **[Doc. 44]** is denied as MOOT. Hudson Specialty Insurance Company is free to re-urge its Motion in accordance with Federal Rule of Civil Procedure 12.

SO ORDERED, this the 20th day of April, 2018.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE